

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 748 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL

=====

1. Whether Reporters of Local Papers may be allowed
to see the judgements? No

2. To be referred to the Reporter or not? No

J

3. Whether Their Lordships wish to see the fair copy
of the judgement? No

4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?
No

VICTOR CONSTRUCTIONS

Versus

STATE OF GUJARAT

Appearance:

MS MITABEN R TALREJA for Petitioner

Mr. P.S.Patel for Respondents

CORAM : MR.JUSTICE J.M.PANCHAL

Date of decision: 10/02/97

ORAL JUDGEMENT

Rule. Mr. P.S.Patel, learned Advocate waives
service of notice of rule on behalf of the respondents.

At the request of learned Advocates appearing for
the parties, the petition is heard today.

By means of filing this petition under Article 226 of the Constitution, the petitioner has prayed to issue an appropriate writ or order directing the respondents to decide application dated December 16,1996 submitted by the petitioner for obtaining mining lease. It is an admitted position that application dated December 16,1996 filed by the petitioner for obtaining mining lease is not decided by the respondent no.4. Under the circumstances, necessary direction deserves to be granted to the respondent no.4 to decide application dated Decemver 16,1996 on merits within stipulated time.

For the foregoing reasons, the petition partly succeeds. The respondent no.4 is hereby directed to decide application dated December 16,1996 submitted by the petitioner on merits and in accordance with law as early as possible and preferably within three weeks from the date of receipt of the writ. Office is directed to send writ to respondent no.4 immediately. It will also be open to the petitioner to produce copy of this order before the respondent no.4 for necessary compliance. Rule is made absolute to the extent indicated hereinabove, with no order as to costs.

=====